

1 TONY RACKAUCKAS, DISTRICT ATTORNEY
COUNTY OF ORANGE, STATE OF CALIFORNIA

2 BY: SUSAN PRICE

Senior Deputy District Attorney

State Bar Number 202758

3 POST OFFICE BOX 808

4 SANTA ANA, CALIFORNIA 92702

5 TELEPHONE: (714) 834-3600

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

AUG 01 2016

ALAN CARLSON, Clerk of the Court

BY: M. RAHN DEPUTY

6
7 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER**
9

10 THE PEOPLE OF THE STATE OF
11 CALIFORNIA,

12 Plaintiff,

13 vs.

14 LONNIE KOCONTES,

15 Defendant(s)
16

Case No.: 13ZF0163

17 PEOPLE'S MOTION FOR AN IN
CAMERA HEARING AND
18 AUTHORIZATION FOR
DISCLOSURE OF JAIL RECORDED
TELEPHONE CALLS

Date: October 14, 2016

Time: 9:00 a.m.

Dept: C41

19 TO: THE HONORABLE JUDGE R. KING, DEFENDANT AND HIS ATTORNEYS
20 OF RECORD:

21
22 THE PEOPLE OF THE STATE OF CALIFORNIA hereby request the court conduct an
23 *in camera*, hearing to determine whether select phone conversations between the defendant
24 and his attorneys, and witness Anthony King and his wife, made on a recorded line while
25 both were incarcerated, are privileged materials. If they are not considered privileged or if
26 the court determines that the privilege was waived by the parties due to the multiple
27 admonitions given to the telephone call participants, then the People seek authorization from
28 the court to review the audio recordings and discover them to the defense pursuant to the

1 defendant's request for discovery of said recordings.¹ If authorized to discover said
2 materials, the People's intention would be to discover the audio recordings at issue to
3 defense counsel, Cori Ferrentino, on defendant's open felony case, 15CF0995.

4 **BACKGROUND**

5 On June 22, 2015 the defendant sent a discovery letter to the People requesting, in part,
6 "All, documents, recordings or memorialization, or summaries thereof, made of any and all
7 conversations or statements of Lonnie Kocontes, either in person, by writing, or by any
8 electronic or other means, **including recordings or memorialization of all telephone or**
9 **other conversations or communications that Lonnie Kocontes has had while in custody**
10 **with any other person that Lonnie Kocontes may have had a conversation with or made**
11 **statements to or in their presence while in custody that was recorded or memorialized**
12 **in any manner whatsoever."** (Exhibit A)

13 Prior to this letter, the defendant had served a subpoena duces tecum on the Orange
14 County Sheriff's Department requesting various records associated with inmate Anthony
15 King and former inmate Maverick Seumanu. In response to the subpoena, Mr. King's
16 attorney, Anthony Ufland, and the Orange County Sheriff's Department have filed Motions
17 to Quash. The issues associated with the disclosure of records pursuant to the subpoena have
18 yet to be litigated.

19 In response to the discovery letter received by the People (Exhibit A), the People
20 requested that the Orange County Sheriff's Department obtain all recorded telephone calls
21 made by the defendant while housed at the Orange County Jail. Detective A. Quilantan
22 searched the Orange County Jail telephone recording database and obtained all existing
23 telephone phone calls made by the defendant, as well as Mr. King and Mr. Seumanu.
24 Detective Quilantan also obtained the mail collected from the defendant, Mr. King, and Mr.
25 Seumanu during the course of the criminal investigation of the defendant for violation of
26

27 ¹ As stated in the attached Affidavit, the People have not listened to the audio recordings contained on CD #s 2,
28 3, 5, 5 and 6. The People are relying on the police report from Orange County Sheriff's Investigator A.
Quilantan regarding the parties involved in the listed recordings. The report is attached as Exhibit B to this
motion.

1 Penal Code section 653f.

2 On December 17, 2015, the Orange County Sheriff's Department delivered a packet of
3 reports and audio recordings to the District Attorney's Office. During this time, all hearings
4 on the case were stayed pursuant to an order by the Court of Appeals, Fourth Appellate
5 District, Division Three, in case number, G 051809. On Friday, March 11, 2016 the
6 undersigned reviewed the packet and determined that some of the material provided
7 warranted an *in camera* review prior to discovery of the same. A portion of the material will
8 be discovered as will be discussed below.

9
10 **CONTENTS OF THE DISCOVERY PACKET**
11

12 The packet submitted to the People for discovery includes the following:

- 13 I. A one page police report authored by D. Voght on 6/25/15;
14 II. A four page report authored by Inv. A. Quilantan on 7/21/15;
15 III. CD #1- titled "corrected transcript- DA Copy";
16 IV. CD #2- Jail Phone calls to (714) 277-0893 Old and new GTL and Kocontes Jail Mail;
17 V. CD#3- Jail Phone calls to (510) 388-2970 Old and New GTL Inmate Lonnie
18 Kocontes;
19 VI. CD#4- Jail Phone calls to (415) 394-3800 Old and New GTL Inmate Lonnie
20 Kocontes;
21 VII. CD#5- Pasco County Jail Phone calls Inmate Lonnie Kocontes;
22 VIII. CD#6- Jail Phone calls to (760) 596-8605 from Inmate Antony King mail; and
23 IX. CD#7- Jail mail for Maverick Seumanu.

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POINTS AND AUTHORITIES

- I. THE COURT SHOULD CONDUCT AN *IN CAMERA* HEARING TO DETERMINE WHETHER THE TELEPHONE CALLS BETWEEN THE DEFENDANT AND HIS ATTORNEYS AND MR. KING AND HIS WIFE ON THE RECORDED JAIL LINE CONSTITUTE PRIVILEGED MATERIAL AND WHETHER SUCH RECORDINGS SHOULD BE DISCOVERED TO THE PARTIES IN THIS CASE.

The People intend to discover items I, II, III and IX as identified above. The People anticipate that defendant Kocontes will claim that the communications in items IV, V, VI and VII (CD #s 2, 3, 4, AND 5) are privileged communications pursuant to the Lawyer-Client Privileged as enumerated in Evidence Code section 950, et seq. In regards to item VIII (CD #6), the People foresee a claim of privilege by Mr. King, pursuant to Evidence Code section 980 (Confidential Marital Communication).²

In regard to items IV, V, VI, VII and VIII (CD #s 2, 3, 4, 5, and 6) as identified above, the People are seeking a judicial determination pursuant to Evidence Code section 915 as to whether the audio recordings contain privileged communications. As the court will note, the phone calls recorded on the CDs identified in items IV, V, and VI, and VII, are from a recorded line at a jail facility. As indicated by Investigator Quilantan in his supplemental report (Exhibit B), some of the telephone numbers called belong to the defendant's attorneys. Although the calls appear to have been made on a recorded line, with an admonition to the caller indicating that the line was being recorded and offering an alternate number for attorney client calls, these calls were nevertheless made by the defendant to his attorneys. The prosecution team has not listened to these recording and without further guidance from the court, will not review or release said audio. The only copies of the CDs provided to the People have been attached to this motion for the Court's review.

Similarly items VIII (CD # 6) appears to contain information that was requested through the defendant's subpoena to the Orange County Sheriff's department. These

² As the People have not yet listened to the audio recordings that are the subject of the possible claim of privilege, we are speculating about the basis for any claim of privilege.

1 recordings were not requested as part of the defendant's June 22, 2015 discovery letter to the
2 People. Nevertheless, the People are in possession of these recorded telephone calls and are
3 seeking the court's guidance on disclosure of the same. Both the Orange County Sheriff's
4 Department and the attorney for Mr. King have filed Motions to quash the subpoena. As
5 such, the People do not believe we can release these recordings without further order from the
6 Court. Clearly issues of privacy and relevancy exist in regards to items 6 and 7 and these
7 issues must be litigated by the parties before such materials are disclosed. As with items IV, ,
8 V, VI, and VII, the People have not reviewed the contents of this CD and have attached their
9 only copy to this motion.

10 II. THE TELEPHONE CALLS BETWEEN THE DEFENDANT AND HIS
11 ATTORNEYS AND MR. KING AND HIS WIFE ON THE RECORDED
12 JAIL LINE DO NOT CONSTITUTE PRIVILEGED MATERIAL AND
13 THEREFORE, SHOULD BE DISCOVERED TO THE PARTIES IN
THIS CASE.

14 As indicated in Investigator Quilantan's supplemental report, item number VII
15 (CD #5) is a recording of a telephone call made by the defendant while in custody of the
16 Pasco County Jail. The call appears to have been made to attorney, David Michael. The
17 supplemental report states that the "Pasco County Sheriff's Department utilizes a
18 company called IC Solutions to record the outgoing phone calls. The recordings that
19 company called IC Solutions to record the outgoing phone calls. The recordings that
20 plays before the inmate and the person who is called start talking advises both parties the
21 phone call is being recorded and is subject to monitoring." Additionally, it appears that
22 Investigator Quilantan was told that there are several written warnings advising the
23 inmates the phone calls are recorded.

24 Similarly, the Orange County jail recordings which are the subject of items IV, V,
25 VI and VIII (CD #s 2, 3, 4, and 6) include a similar admonition. According to
26 Investigator Quilantan's supplemental report, the following disclaimer is made when an
27 inmate places a phone call on a phone in the jail, "This is global tel link, your call may be
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1 monitored or recorded. Please take note it is against the law to use an inmate or other
2 unlicensed person to refer, solicit or negotiate bail per California Code of Regulations
3 2068. California Insurance Code 1814 makes it a felony.” According to Investigator
4 Quilantan, in addition to the above advisement, there is an additional warning that comes
5 on periodically stating, “If you are an attorney and do not want your call monitored and
6 recorded please hang up and dial 209-525-5646.”
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8 The CDs at issue have been attached to this motion, under seal, as Exhibit C.
9 Given the extensive admonition provided to the inmates regarding the recorded nature of
10 the calls made on these lines, it is not reasonable for either the defendant or Mr. King to
11 assert any privilege as to these recordings. There simply was no expectation of privacy
12 or reasonable basis to conclude that the conversations were confidential. Both the
13 defendant and Mr. King waived any privilege protecting their communications by
14 choosing to communicate via a recorded line. As such, the People respectfully request
15 permission to discover the audio recordings to counsel for the defendant, on both of his
16 open cases (13ZF0163 and 15CF0995).
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19 CONCLUSION

20 The People respectfully request that the Court hold an in camera hearing to review the
21 recordings in order to determine whether a privilege existed and if so, whether the privilege
22 was waived by the parties when the phone calls were made on a recorded line.
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1 Dated this 1st day of August, 2016.

2 Respectfully submitted,
3 TONY RACKAUCKAS, DISTRICT ATTORNEY
4 COUNTY OF ORANGE, STATE OF
5 CALIFORNIA

6 By: 

SUSAN A. PRICE

7 Senior Deputy District Attorney
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**DECLARATION OF SUSAN A. PRICE
IN SUPPORT OF THE MOTION FOR IN CAMERA HEARING**

I, SUSAN A. PRICE, DECLARE:

1. I am a Senior Deputy District Attorney for the County of Orange, and assigned to the above captioned prosecution.

2. On December 17, 2015, the Orange County Sheriff's Department delivered a packet of reports and audio recordings to the District Attorney's Office.

3. During this time, all hearings on the case were stayed pursuant to an order by the Court of Appeals, Fourth Appellate District, Division Three, in case number, G 051809.

4. On Friday, March 11, 2016 I reviewed the packet and determined that some of the materials contained in the packet may be the subject of a claim of privilege.

5. As to those materials, I did not remove them from the packaging;

6. As to the materials, which appeared to be audio compact discs, I did not and have not listened to their contents; and

7. No copies of the CDs have been made by the District Attorney's Office, the originals received by our office have been submitted to the court for review.

DATED: August 1, 2016



SUSAN A. PRICE
Senior Deputy District Attorney

EXHIBIT A

LAW OFFICES OF DAVID M. MICHAEL

One Sansome Street, Suite 3500
San Francisco, CA 94104
Telephone: (415) 946-8996

David Martin Michael, Esq.
E-Fax: (877) 538-6220
E-Mail: david@davidmichaellaw.com

Edward Michael Burch, Esq.
E-Fax: (877) 767-3821
E-Mail: edward@davidmichaellaw.com

22 June 2015

Susan Aramesh Price
Senior Deputy District Attorney
County of Orange
401 Civic Center Drive
Santa Ana, CA 92701

Via Email: Susan.Price@da.ocgov.com

Re: *People v. Lonnie Kocontes*
Orange County Superior Court Case No. 13 ZF 0163

Dear Ms. Price:

In addition to the initial five requests that I had formally requested by motion to the Court, which I am restating here, and after a review of the additional material you have provided my office, I am including an additional request for disclosure of items number 6 to 11. I would also note that your agents have represented that they have been monitoring Mr. Kocontes' communications, both spoken and telephonically, since the date of his initial incarceration in the Orange County Jail, information covered by requests No. 3 and No. 6.

The requests for disclosure at or prior to the hearing on 26 June 2015 are as follows:

1. The identity of any person who has had any conversation or communication with Defendant Lonnie Kocontes, while in custody since the day of his arrest in this case, whether as a confidential informant/source ("CI" or "CS") or a law enforcement officer or any person who worked with or cooperated with or had any relationship in any way with the prosecution or its/his/her agents in this case, where such conversation had anything to do with the prosecution or defense of this case, either directly or collaterally.
2. Any and all information and/or documents relating to any informants - whether a law enforcement officer, private citizen or any other person - utilized to obtain or ascertain any information relating to this case or Defendant;
3. All, documents, recordings or memorialization, or summaries thereof, made of any and all conversations or statements of Lonnie Kocontes, either in person, by writing, or by any electronic or other means, including recordings or memorialization of all telephone or other conversations or communications that Lonnie Kocontes has had while in custody with any other person, including his attorneys, cellmates, informants, law enforcement officers, or any other person that Lonnie Kocontes may have had a conversation with or made statements to or in their presence while in custody that was recorded or memorialized in any manner whatsoever.

Deputy District Attorney Susan Price
22 June 2013
Page Two

4. The names and addresses, sufficient for service of process, of each and every person described in request number 3.
5. Any documents or other items, including recordings of any kind, obtained from Lonnie Koontes or from his custody or from his jail cell by any person, including cellmates, informants, law enforcement officers, or any other person having access to said documents or items, or any person having received said documents or items from Lonnie Koontes, or from any third person, during the time he has been in custody in this matter.
6. An audio or written copy of each and every recorded or memorialized conversation or statement made by Mr. Koontes since the date of his incarceration in the Orange County Jail.
7. A photographic copy of the Koontes/King note, received by Detective Voght on 12 June 2014, of sufficient quality to allow for a clear identification of each word and of sufficient quality to allow an expert to examine the same.
8. The investigative file regarding any and all background checks made on inmate Anthony King.
9. The investigative file regarding any negotiations or agreements between the prosecution or its agents and Anthony King and/or his attorneys as to plea agreements, draft of agreements, considerations, or any other compensation or benefit offered, demanded, or made to or by Anthony King.
10. The complete criminal file of Anthony King.
11. The complete criminal file of Maverick Seumanu.

Please respond in writing at your earliest possible convenience to this letter, stating for each enumerated request that such discovery is being/has already been fully provided, or that there exist responsive materials but discovery is declined. For each such declination, please state the reason(s) and whether a discovery request at a specified later date will be unopposed. For each request with which the prosecution intends to voluntarily comply, please state the date prior to the upcoming hearing by which compliance will be complete.

Thank you for your cooperation and considerations in this matter. If you have any concerns or questions, please do not hesitate to contact me at the above numbers or on my mobile phone at (510) 388-2970. Likewise, you can contact my co-counsel, James Bustamant at his office (415) 394-3800 or on his mobile phone at (415) 515-3786.

Sincerely,
s/David Michael
DAVID MICHAEL
DMM:ob

EXHIBIT B

**SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

PRIORITY: ☐ Yes
☒ No

CONFIDENTIAL

3. ☐ INITIAL NON-CRIMINAL
4. ☐ INITIAL-CRIMINAL
5. ☒ FOLLOW-UP CRIMINAL
6. ☐ CONTINUATION REPORT NO.

SANDRA HUTCHENS, SHERIFF-CORONER

FOLLOW-UP REPORT

7. OFFENSE Information Report-Murder for Hire	8. LOCATION OF OCCURRENCE 550 N. Flower St., Santa Ana, Ca 92703
9. VICTIM/INFORMANT Investigator D. Voght	10. DATE AND TIME OF OCCURRENCE 4-22-14/0945 hours
	11. GRID 829 E3

12. DETAILS OF OFFENSE:

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DISCOVERY REQUEST AND SUBPOENA DUCES TECUM RESPONSE

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On Friday 6-26-15, Orange County Deputy District Attorney (DDA) Susan Price told me Lonnie Kocontes's Defense Attorney, David Michael, issued a discovery request to her as well as a subpoena duces tecum to Orange County for various records associated to Lonnie Kocontes. There are still ongoing court hearings that will ultimately decide if all the requested material is relevant to Kocontes's criminal cases.

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The discovery request/subpoena duces tecum listed several items Mr. Michael was requesting. Some of those items included mail and phone calls associated to Kocontes, Inmate Anthony King (11-16-64) and Maverick Seumanu (4-2-91) who is no longer incarcerated in the Orange County Jail.

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During the course of Kocontes's CPC 653f(b)-Solicitation of Murder investigation as well as the ongoing CPC 187-Murder investigation, I monitored some of Kocontes's out-going phone calls and some of his in-coming and out-going mail.

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Also, as part of the CPC 653f(b)-Solicitation of Murder investigation I also monitored some of King's out-going phone calls and in-coming and out-going mail as well as some of Seumanu's in-coming and out-going mail.

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I reviewed all the mail I collected from Kocontes, King and Seumanu that I kept in a cardboard box in my office. The mail was obtained after I requested a "mail cover" for Kocontes, King and Seumanu. The "mail cover" request only ensures the jail staff will do their best to photo copy the non-legal in-coming/out-going mail. It does not guarantee that all the requested mail will be copied and it's possible there will be times the jail staff will miss a piece of mail.

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As I separated the manila folders for each of the inmates I located a manila folder that I received from the Pasco County Sheriff's Department in March of 2013. The folder contained a

INVESTIGATING OFFICERS Inv. D. Voght #1077	REPORT BY Inv. A. Quilantan #5421	DATE OF REPORT 7/21/15	APPROVED Sgt. A. Spencer
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

SANDRA HUTCHENS, SHERIFF-CORONER

REPORT CONTINUATION

Compact Disc (CD) of recorded jail phone calls that Kocontes made from the Pasco County Jail that I received from Detective Cayer. I recall doing an initial review of some of the phone calls but I did not review all of the approximately 76 phone calls.

The Pasco County Sheriff's Department utilizes a company called IC Solutions to record the outgoing phone calls. The recording that plays before the inmate and the person who is called start talking, advises both parties the phone call is being recorded and is subject to monitoring. Detective Cayer also told me there are several written warnings advising the inmates the phone calls are recorded.

During the initial review I was able to identify that David Michael was one of the people who Kocontes called while he was in the Pasco County Jail. I made a copy of the phone recordings and on 6-27-13 I booked the CD into evidence. It wasn't until I found the CD of the Pasco County Jail phone calls that I realized I did not write a follow-up report.

The Orange County Jail utilizes Global Tel-Link (GTL) to record the jail phone calls. I know from previous inquiries into phone calls made from the Orange County Jail, when an inmate places a phone call on a phone in the jail there is the following automated disclaimer:

This is global tel link, your call may be monitored or recorded. Please take note it is against the law to use an inmate or other unlicensed person to refer, solicit or negotiate bail per California Code of Regulations 2068. California Insurance Code 1814 makes it a felony. (The caller is then given the opportunity to say his or her name, the caller and the recipient are then told the amount of money that is on the account. The recipient is given the option of either accepting or denying the phone call).

In addition to the generic warning advising both parties the call may be monitored and recorded, there is an additional warning that is randomly given that states; *"If you are an attorney and do not want your call monitored and recorded please hang up and dial 209-525-5646."*

MAVERICK SEUMANU'S MAIL AND PHONE CALLS

I received 14 letters that were either written by or received by Inmate Seumanu. I scanned a copy of all the letters so they could be properly discovered to Attorney David Michael.

INVESTIGATING OFFICERS Inv. D. Voght #1077	REPORT BY Inv. A. Quilantan #5421	DATE OF REPORT 7/21/15	APPROVED Sgt. A. Spritzer
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

SANDRA HUTCHENS, SHERIFF-CORONER

REPORT CONTINUATION

During the course of this investigation I attempted to identify phone numbers that Seumanu may have called and I was unable to locate any phone calls.

LONNIE KOCONTES'S MAIL AND PHONE CALLS

I received 41 letters that were either written by or received by Inmate Lonnie Kocontes. I scanned a copy of all the letters so they could be properly discovered to Attorney David Michael.

I began to identify some of the phone numbers that Kocontes called when he was initially incarcerated in the Orange County Jail. I was able to identify the following three (3) phone numbers: 714-227-0893 which I learned belongs to Kocontes's wife, Kathy Kern; 510-388-2970 which I learned belonged to Attorney David Michael; 415-394-3800 which I learned belonged to Attorney James Bustamante and 310-592-0687, which I learned through this investigation belonged to Maha Kasim. I already discovered the audio recordings of the phone calls to 310-592-0687 to the defense team. See my follow up report for the audio recordings associated to 310-592-0687 for further information.

I know from my experience that earlier this year GTL made upgrades to their system and we now have to access an updated database to review phone calls. The new data base has different features than the old data base, to include the file that is created when you down load a phone call. The file that is down loaded now includes a "call report" that identifies the phone call by including the number that was called along with the date and time of the phone call. You can access the audio recording of the phone calls either through the "wave" file they provide or through the "call report"

The old GTL data base is not as user friendly as the updated version. It has been my experience that the audio files you down load from the old GTL data base are identified by a file name that is a combination of letters and numbers. I cross referenced the file names with the file name on the screen that also included the phone number, date and time and I manually added the date time to the file name so it would be easier to identify when the call was made.

The audio files for the old GTL system are no longer accessible from our office computers. We have one computer that it is located at the Intake Release Center that we have to use if we want to review phone calls that were made prior to January of 2015.

I searched the old GTL system for the following phone numbers: 714-227-0893 (Kathy Kern) and down loaded 64 recorded phone calls; 510-388-2970 (David Michael) and downloaded 65

INVESTIGATING OFFICERS Inv. D. Voght #1077	REPORT BY Inv. A. Quilantan #5421	DATE OF REPORT 7/21/15	APPROVED Det. A. Spencer
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

SANDRA HUTCHENS, SHERIFF-CORONER

REPORT CONTINUATION

recorded phone calls and 415-394-3800 (James Bustamante) and down loaded 47 recorded phone calls. There were several entries in the old GTL system that identified completed phone calls that no longer have the audio recording available.

In order to review the audio recordings you have to open the application "ActiveLplayer" and then open the audio file you want to review.

I searched the updated GTL system for the following phone numbers: 714-227-0893 (Kathy Kern) and downloaded 10 recorded phone calls; 510-388-2970 (David Michael) and downloaded 23 recorded phone calls and 415-394-3800 (James Bustamante) and down loaded 1 recorded phone call.

I transferred the phone calls to a compact disc so they could be properly discovered to Attorney David Michael.

ANTHONY KING'S MAIL AND PHONE CALLS

I received 31 letters that were either written by or received by Anthony King. I scanned a copy of the letter so they could be properly discovered to Attorney David Michael.

As part of the CPC 653f(b)-Solicitation of Murder investigation I began to monitor some of the phone calls that King made from the Orange County Jail. I was only able to identify one phone number, 760-596-8605. I was able to determine the phone number was associated to King's wife, Jeannette King. I searched the old GTL system for 760-596-8605 (Jeannette King) and downloaded 12 recorded phone calls. I searched the updated GTL system for 760-596-8605 (Jeannette King) and downloaded 32 recorded phone calls. There were several entries in the old GTL system that identified completed phone calls that no longer have the audio recording available.

I transferred the phone calls to a compact disc so they could be properly discovered to Attorney David Michael.

END OF REPORT

INVESTIGATING OFFICERS Inv. D. Voght #1077	REPORT BY Inv. A. Quilantan #5421	DATE OF REPORT 7/21/15	APPROVED Det. A. Spence
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Homicide

2. CASE NO. 14-109712

**SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

PRIORITY: ☐ Yes☒ No**CONFIDENTIAL**3. ☐ INITIAL NON-CRIMINAL4. ☐ INITIAL-CRIMINAL5. ☒ FOLLOW-UP CRIMINAL6. ☐ CONTINUATION REPORT NO.**FOLLOW-UP REPORT****SANDRA HUTCHENS, SHERIFF-CORONER**

7. OFFENSE Information Report- Murder for Hire	8. LOCATION OF OCCURRENCE 550 N. Flower St., Santa Ana, CA 92703	
9. VICTIM/INFORMANT Investigator D. Voght	10. DATE AND TIME OF OCCURRENCE 04-22-14/0945 hours	11. GRID 829E3

12. DETAILS OF OFFENSE:

1 **NARRATIVE:**

2 On Monday 6-22-15, Orange County Deputy D.A. Susie Price told me that Lonnie
3 Kocontes's Defense team (David Michael) requested several items from the Sheriff's Department in
4 preparation for their defense. One of the items requested are recorded phone calls made by Lonnie
5 Kocontes while he was in custody at the Orange County Jail.

6 The Orange County Jail uses a phone system called GTL, which records all phone calls made
7 by inmates.

8 I know that Kocontes has made several phone calls to his Attorney's and other persons (wife
9 and family members) while in custody at the Orange County Jail.

10 Based on this request, I will attempt to obtain all available phone calls made by Kocontes and
11 have them placed onto a CD or DVD.

12 End of report.

INVESTIGATING OFFICERS D. Voght	REPORT BY D. Voght # 1077	DATE OF REPORT 6-25-15	APPROVED <i>Sgt. A. Spencer</i>
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EXHIBIT C

People v. Kocontes – 13ZF0163
People's Motion for in Camera hearing filed 8/1/16
(Exhibit C)

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TEEL GTL PRA 073



TONY RACKAUCKAS
DISTRICT ATTORNEY

FAX TRANSMISSION

OFFICE OF THE DISTRICT ATTORNEY

Homicide Unit
401 Civic Center Dr. West
Santa Ana, CA 92701
(714) 347-8482
Fax: (714) 834-3668

FROM: Adeline Ornelas

Phone No.: (714) 347-8482

Fax No.: (714) 834-3668

TO: Ferrentino & Associates, Ince
Attn: Corren Wiley Ferrentino

949 S. Coast Drive. Ste. 250, Costa Mesa, Ca 92626

Phone No.: (714)973-2024

Fax No.: (714)973-2025

Date: August 1, 2016

Number of pages: 19
Including the cover

Subject: Re: LONNIE KOCONTES

(Case No. 13ZF0163)

PROOF OF SERVICE BY FACSIMILE MACHINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss

I am employed within the County of Orange, State of California. I am over the age of eighteen years and not a party to the within entitled action; my business address is:
401 Civic Center Drive West, Santa Ana, CA 92701.

On 8-1-16, I faxed **PEOPLE'S MOTION FOR AN IN CAMERA HEARING AND AUTHORIZATION FOR DISCLOSURE OF JAIL RECORDED TELEPHONE CALLS AND EXHIBITS A,B,C** in the following in said action by facsimile machine. The fax number used was (714) 834-3668. The facsimile machine I used complied with rule 2003(3) and the machine reported no error. I caused the machine to print a transmission record, a copy of which is attached to this declaration.

I certify (or declare) under penalty of perjury that the foregoing is true and correct. Executed 8-1-16, at Santa Ana, California.



Adeline Ornelas-Attorney Clerk II

IF THERE ARE ANY QUESTIONS OR PROBLEMS, AND YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL 714-347-8482.

TRANSMISSION VERIFICATION REPORT

TIME : 08/01/2016 10:42
NAME : OCDA HOMICIDE
FAX : 714-834-3668
TEL : 714-834-3600
SER.# : BR0D5J264885

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

08/01 10:37
917149732025
00:05:07
19
OK
STANDARD
ECM



TONY RACKAUCKAS
DISTRICT ATTORNEY

FAX TRANSMISSION
OFFICE OF THE DISTRICT ATTORNEY

Homicide Unit
401 Civic Center Dr. West
Santa Ana, CA 92701
(714) 347-8482
Fax: (714) 834-3668

FROM: Adeline Ornelas

Phone No.: (714) 347-8482

Fax No.: (714) 834-3668

TO: Ferrentino & Associates, Ince
Attn: Corren Wiley Ferrentino

949 S. Coast Drive, Ste. 250, Costa Mesa, Ca 92626

Phone No.: (714)973-2024

Fax No.: (714)973-2025

Date: August 1, 2016

Number of pages: 19
Including the cover

Subject: Re: LONNIE KOCONTES

(Case No. 13ZF0163)

PROOF OF SERVICE BY FASCIMILE MACHINE

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I am employed within the County of Orange, State of California. I am over the age of eighteen

TEEL GTL PRA 075



TONY RACKAUCKAS
DISTRICT ATTORNEY

FAX TRANSMISSION

OFFICE OF THE DISTRICT ATTORNEY

Homicide Unit
401 Civic Center Dr. West
Santa Ana, CA 92701
(714) 347-8482
Fax: (714) 834-3668

FROM: Adeline Ornelas

Phone No.: (714) 347-8482

Fax No.: (714) 834-3668

TO: Orange County Alternate Defender
Attn: Anthony Christophe Ufland

600 W. Ste.600, Santa Ana, Ca 92701

Phone No.: (714)568-4160

Fax No.: (714)568-4200

Date: August 1, 2016

Number of pages: 19
Including the cover

Subject: Re: LONNIE KOCONTES

(Case No. 13ZF0163)

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Adeline Ornelas
Adeline Ornelas-Attorney Clerk II

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TEEL GTL PRA 076

TRANSMISSION VERIFICATION REPORT

TIME : 08/01/2016 10:36
NAME : OCDA HOMICIDE
FAX : 714-834-3668
TEL : 714-834-3600
SER.# : BROD5J264885

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

08/01 10:30
917145684200
00:05:47
19
OK
STANDARD
ECM



TONY RACKAUCKAS
DISTRICT ATTORNEY

FAX TRANSMISSION
OFFICE OF THE DISTRICT ATTORNEY

Homicide Unit
401 Civic Center Dr. West
Santa Ana, CA 92701
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